IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 217 OF 2007

Mr. Dinesh Balkrishna Trivedi
and ors. ..Petitioners

Vs.

Mrs. Bhavana Dinesh Trivedi
and anr. ..Respondents

Mr. Ganesh Gole for petitioners.
Mr. R.R. Verma for respondent no.1.
Mr. D.P. Adsule, APP for State.

**CORAM: B.H. MARLAPALLE, J.**

**Date : July 06, 2007.**

**P.C.:**

1. Heard. Rule. Respondents waive service. Rule is taken up for final hearing forthwith. Both the spouses are present before the court.

2. This application has been filed under Section 482 of Cr.P.C. praying for quashing and setting aside C.R. No. 182 of 2005 registered with the Dadar Police Station, Mumbai. Along with the application, a copy of the letter dated 6/11/2006 addressed by the

respondent-wife to the Senior Inspector, Dadar Police Station, Mumbai has also been annexed. In the said letter the respondent-wife had requested to close the complaint as she was not interested to proceed with the same on account of the settlement between the spouses and their family members.

3. The parties had approached the Family Court, Mumbai at Bandra for dissolution of marriage by consent under Section 13(B) of the Hindu Marriage Act, 1955 and accordingly the decree of divorce by consent has been passed on 8/5/2007 by the Family Court. The decree has been executed and the parties have also separated.

4. Hence by relying upon the Judgment of the Supreme Court in the case of B.S. Joshi and ors. vs. State of Haryana and anr. [AIR 2003 SC 1386], the application is allowed and Rule is made absolute in terms of prayer clause (a).

**(B.H. Marlapalle,J.)**